IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 5049 of 1995

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA
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1.   Whether Reporters of Local Papers may be allowed
        to see the judgements?

2.   To be referred to the Reporter or not?

3.   Whether Their Lordships wish to see the fair copy
        of the judgement?

4.   Whether this case involves a substantial question
        of law as to the interpretation of the Constitution
        of India, 1950 of any Order made thereunder?

5.   Whether it is to be circulated to the Civil Judge?

        MADHUSUDAN N CHAUHAN
Versus
        GUJARAT STATE CONSTRUCION   CORPN. LTD.

        Appearance:
            MR JA ADESHRA for Petitioner
            MR HJ NANAVATI for Gujarat State Construction
        Corporation Ltd.
            No.4.
            MR. BY MANKAD,learned AGP for respondent No.5

        CORAM : MR.JUSTICE M.R.CALLA
        Date of decision: 10/04/96

ORAL JUDGEMENT

  While producing a letter dated 9-4-96 addressed
to the learned counsel appearing for the Gujarat State
Construction Corporation Ltd. by the Project Manager,
Narmada Pipe Line, Gujarat State Construction Corporation

ltd., Mr. Nanavati has submitted that the Corporation has decided to withdraw the impugned order dated 14-6-95 with liberty to pass appropriate orders afresh in accordance with law.

In view of the above statement, the learned counsel for the petitioner Mr. Adeshra seeks to withdraw this Special Civil Application with liberty to challenge the fresh order, if any, and it will be open for the petitioner to challenge the fresh order, if any,on all the grounds available to him including all the questions which are raised in the present petition. Besides this, it will also be open for the petitioner to challenge the order dated 18-3-96 passed by the Narmada Water Resources Department i.e. respondent No.5 with reference to the order dated 7-2-96 passed by this Court. This Special Civil Application is accordingly dismissed as withdrawn. Rule is hereby discharged. Since the main petition itself has been dismissed as withdrawn, the interim order automatically comes to an end. No order as to costs.

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